

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

BILL LIETZKE,	)	
	)	
Plaintiff,	)	
	)	
	)	
v.	)	
	)	CIVIL ACTION NO. 2:07cv814-MHT
COUNTY OF MONTGOMERY,	)	
ALABAMA, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

On October 10, 2007, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed (Doc. #5). After review of the Recommendation, and after an independent and de novo review of the entire record, the Court believes that the Recommendation should be, and it is, adopted. Accordingly, it is

ORDERED and ADJUDGED that:

1. All federal claims against Defendants Reese McKinney and D. T. Marshall are dismissed as barred by the doctrine of res judicata.
2. All federal claims against Defendant County of Montgomery are dismissed as time barred.
3. All criminal claims of “first degree kidnaping” and “felony false imprisonment” against the County of Montgomery are dismissed because Plaintiff does not have an enforceable right to institute a criminal prosecution.

4. All remaining state claims are dismissed without prejudice because the Court declines to exercise supplemental jurisdiction over them.

An appropriate judgment will be entered.

DONE, this the 9th day of November, 2007.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE